

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

ERIK CURRAN

Plaintiff,

v.

Civil Action No. 2:07-cv-354  
(Honorable John T. Copenhaver)

AMAZON.COM, INC.,  
a Delaware corporation;  
GETTY IMAGES, INC.,  
a Delaware corporation;  
ST. MARTIN'S PRESS, LLC,  
a New York corporation;  
SIDESHOW INC., d/b/a SIDESHOW  
COLLECTIBLES, a Delaware corporation  
HOT TOYS, LTD., a business entity  
incorporated in Hong Kong; and  
CAFÉ PRESS.COM, INC. a Delaware  
corporation,

Defendants.

MOTION TO AMEND COMPLAINT TO ADD CORRECT PARTY

Comes now the plaintiff, by counsel, pursuant to Federal Rules of Civil Procedure 15 and moves the Court for an Order allowing him to amend his complaint to add the correct party.

Rule 15(s) states in part, "leave (to amend a complaint) shall be freely given when justice so requires."

Plaintiff incorrectly named Sideshow Inc., d/b/a Sideshow Collectibles, a Delaware corporation, as a party to the action filed in the Circuit Court of Kanawha

County. Information has now been provided that the correct Sideshow Inc. is a business licensed as a California corporation. Plaintiff seeks leave to amend his complaint to reflect Sideshow, Inc., a California corporation, as the correct party to the action and asks that Sideshow Inc., d/b/a Sideshow Collectibles, a Delaware corporation be dismissed from the action.

For the foregoing reasons, plaintiff prays that the Court grant his motion to amend his complaint to correctly name Sideshow, Inc. as a party and that the Court award any other relief that it deems just and appropriate.

Respectfully submitted.

ERIK CURRAN

By Counsel

s/Charles M. Love, IV

Marvin W. Masters, Esquire  
West Virginia State Bar No. 2359  
Charles M. Love, IV, Esquire  
West Virginia State Bar No. 7477  
The Masters Law Firm lc  
181 Summers Street  
Charleston, West Virginia 25301  
(304) 342-3106  
Counsel for Plaintiff  
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Defendants.

CERTIFICATE OF SERVICE

I, Charles M. Love, IV, do hereby certify that true and exact copies of "Motion To Amend Complaint To Add Correct Party" were served upon:

John H. Tinney, Esquire  
The Tinney Law Firm, PLLC  
Bank One Center, 14th Floor  
7097 Virginia Street, East  
Charleston, West Virginia 25301  
Counsel for CafePress.com

David A. Barnette, Esquire  
Jackson & Kelly  
1600 Laidley Tower  
Post Office Box 553  
Charleston, West Virginia 25322  
Counsel for Amazon.com and St. Martin's Press

Andrew B. Cooke, Esquire  
Elizabeth L. Taylor, Esquire  
Flaherty Sensabaugh & Bonasson  
Post Office Box 3843  
Charleston, West Virginia 25338-3843  
Counsel for Getty Images, Inc.

via electronic filing this 18th day of June, 2007; and upon:

Ian C. Ballon, Esquire  
Wendy M. Mantell, Esquire  
GREENBERG TRAURIG  
Suite 400E  
2450 Colorado Avenue  
Santa Monica, California 90404  
Counsel for CafePress.com

Suyin So, Esquire  
Perry M. Amsellem, Esquire  
Pryor Cashman, LLP  
410 Park Avenue  
New York, New York 10022  
Counsel for Sideshow, Inc., d/b/a Sideshow Collectibles.

Karen Robson  
Pryor Cashman, LLP  
1801 Century Park East  
Los Angeles, California 90067  
Counsel for Sideshow, Inc., d/b/a Sideshow Collectibles

in envelopes properly addressed, stamped and deposited in the regular course of the  
United States Mail this 18th day of June, 2007

s/Charles M. Love, IV

Charles M. Love, IV, Esquire  
West Virginia State Bar No. 7477